

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

MAY 31 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY MM
DEPUTY CLERK

ROGER EUGENE FAIN,
Plaintiff,

v.

BOBBY LUMPKIN, DIRECTOR,
YEXAS DEPARTMENT OF CRIMINAL
JUSTICE, et al,
Defendants.

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CIVIL ACTION NO: 5:20-CV-01149

PLAINTIFF'S SUBSEQUANT REQUEST FOR A TEMPORARY
RESTRAINING ORDER, (TRO)

Plaintiff "Fain", is in possession of the Defendant's Motion To Substitute Attorney-In-Charge, which was received by "Fain" on May 16th 2022. "Fain" has no objection to this Request to Substitute Mr. Evan Welge, and has, in fact sent to Ms. Erika D. Hime, a "renewed" purposal to settle this matter in mediation. "Fain's" purposal is as follows:

- 1) To be allowed to grow His hair to any length, without any restrictions or threats of forcibly cutting his hair;
- 2) To be allowed to wear his hair in a ponytail, with the understanding of no braid, outlandish hair style, just long, in a ponytail for control;
- 3) That the filing fee of \$350.00 be reimbursed;
- 4) That "Fain" be reinstated to a Designated TDCJ Native American Unit, TDCJ maintains 8 such Units.

"Fain" believes that these above referenced purposals are within reason, and easily remedy the situation without proceeding to a trial before this Court.

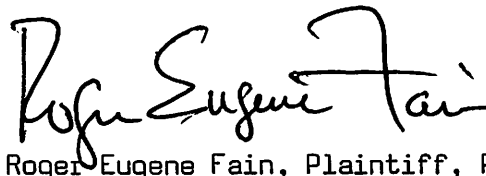
Furthermore, "Fain" is once again requesting this TRO not to alienate the Court, or to undermine the Court's earlier "Rulings," but to renew this request based on the fact that "Fain's" belief was that April 15th 2022 was the deadline for all filings, and then the Court would make a determination as to proceed with a trial or to dismiss this matter. By the Defendant's Counsel requesting to Substitute the Attorney-In-Charge, thta this Court would most likely "Grant"

the Motion, without any objection from "Fain" and thus, giving Ms. Hime adequate time to review, consult, and decide to either proceed or to settle this matter before the Court. "Fain" believes that this matter wouldn't be resolved anytime soon, thus, this Subsequent Request For A TRO.

"Fain" wish to state to this Court, that he believes that the request is within his Right to ask based upon his following beliefs, "Long hair is not only an expression of his Heritage, Culture, Custom, & Religion, but it also is apart of his ancestry, a sacred symbol of 'Life & Experinece in this World.'" "Fain" is presently housed on a High Security Facility, and has been threatened numerous times with disciplinary action, loss of what prilleges he still has, the threat of forcibily having his hair cut.

The requested TRO is only until such time that this matter is physically in the present of this Court, with the Defendant's & Plaintiff present, to finally resolve the matter to the satisfaction of all parties, nothing more. "Fain" also states for the record that he is ready for this matter to be resolved, and is ready for the proceedings to begin, at the convenience of the Court.

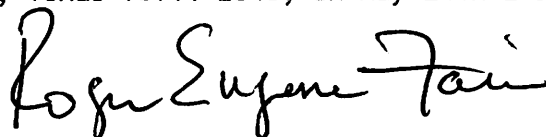
Respectfully Submitted,



Roger Eugene Fain, Plaintiff, Pro Se

CERTIFICATE OF SERVICE

I, Roger Eugene Fain, Plaintiff, Pro Se, certify that a true and correct of the foregoing Motion For A Temporary Restraining Order, has been served by placing same into the mailbox of the William P. Clements Units mail system, addressed to Ms. Erika D. Hime, Assistant Attorney General at the Office of the Attorney General, P.O. Box 12548, Austin, Texas 78711-2548, on May 24th 2022.



Roger Eugene Fain, Plaintiff Pro Se
William P. Clements Unit
TDCJ-CID #00700474
9601 Spur 591
Amarillo, Texas 79017-9606

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ORDER

On this day, the Court considered Plaintiff's Subsequent Request For A
Temporary Restraining Order, (TRO).

The Request For A TRO is hereby GRANTED _____; DENIED _____.

Signed on this, the _____ day of _____, 2022.

Presiding United States District Judge

Rogon Fain

TDCJ-CID# 00700474

William P. Clements

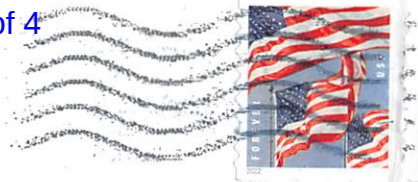
9601 Spur 591

Amarillo, Texas 79107-9606

AMARILLO TX 791

25 MAY 2022 PM 1 L

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Ms. JEANNETTE J. CLACK, CLERK
U.S.D.C. - W.D.

262 WEST NUEVA STREET
SAN ANTONIO, TEXAS

78207

RECEIVED

MAY 31 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

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